

## **SPECIAL MEETING MINUTES**

### **Riley-Purgatory-Bluff Creek Watershed District**

**May 15, 2015, Board of Managers Special Meeting**

#### **PRESENT:**

Managers: Mary Bisek, Vice President

Jill Crafton, Treasurer

Perry Forster, President

Staff: Claire Bleser, RPBCWD Administrator

Louis Smith, Attorney (Smith Partners)

Scott Sobiech, Engineer (Barr Engineering Company)

Other attendees: Dorothy Pederson, CAC

Linda Loomis, Lower Minnesota River  
Watershed District

#### **1. Call to Order**

President Forster called the RPBCWD Board of Managers on Friday, May 15, 2015, Board of Managers Special Meeting to order at 9:05 a.m. at the RPBCWD District Office at 14500 Martin Drive, Suite 1500, Eden Prairie, MN 55344.

#### **2. Approval of the Agenda**

Manager Crafton moved to approve the agenda as amended. Manager Bisek seconded the motion. Upon a vote, the motion carried 3-0.

#### **3. Bluff Creek Restoration Project**

Administrator Bleser explained the history of the project. The District applied for Clean Water and Legacy funds in 2013. She said the project was a recipient of the grant and was awarded \$150,000 for which the District has three years to expense and to implement the project. She also said that there are three other Local Government Units who are partnering on this effort: Hennepin County Regional Rail Authority, City of Chanhassen, and Lower Minnesota River Watershed District. Administrator Bleser stated in addition that when the plan was amended to include the Bluff Creek Restoration Project, various agencies had commented in support of the project. To date, Administrator Bleser discussed the on-going degradation of the culvert as well as the Total Maximum Daily Load conducted on Lower Bluff Creek which identified the project as a priority project. However, Administrator Bleser explained, in order to implement the project, access would be needed through a private property. To this date, she stated that five letters were sent without success.

President Forster asked a question in regards to the cost in the project if delayed. Administrator Bleser responded that since the grant was applied for to now significant degradation had occurred that elevated the cost of the restoration. Manager Bisek asked who owned the culvert and if no repairs occur what would be the impacts to the property. District Engineer Sobiech responded that the erosion extends to the private property and that the culvert

is owned by the Hennepin County Regional Rail Authority. Administrator Bleser added that the fish passage that would link the end of the culvert to Bluff Creek would address the biological impairment on the creek.

President Forster stated that the fish passage is not best argument but really instead culvert and erosion are the issue. Manager Bisek asked what would be the impacts on the property in regards to access and use. District Engineer Sobiech responded that there would be at least 45 days of construction traffic. Manager Crafton agreed with President Forster. President Forster asked about alternative access. District Engineer Sobiech responded that it might be possible but would cost more and that coming from the trail would not be admissible as it is a steep slope.

President Forster stated that the District considered alternatives and attempted to contact the property owner multiple times. Administrator Bleser had phone contact with the property owner who confirmed receipt of the first letter. Manager Bisek also stated that the project as presented to the Board showed the least impact.

Attorney Smith explained possible next steps and discussed approaching Commissioner Callison and the Hennepin County Regional Rail Authority to secure acquisition of easement. Manager Bisek also asked that staff follow-up with property owner as next steps are identified to continue to implement project.

Manager Bisek moved that the District's Legal Counsel secure appraisal of easement on the property, contact Hennepin County Regional Rail Authority in regards to easement acquisition and that a letter to property owner be sent to advise on process. Manager Crafton seconded the motion. Upon a vote, the motion carried 3-0.

Engineer Sobiech stated that he needed soil borings and wanted direction from the board to move forward to proceed in the design. Manager Crafton moved that Engineer Sobiech move forward with collection of soil boring and Manager Bisek seconded the motion. Further discussion indicated that the Engineer was already authorized to proceed with design under prior task order. Upon a vote, the motion carried 3-0.

#### 14. Adjourn

Manager Crafton moved to adjourn the meeting. Manager Bisek seconded the motion. Upon a vote, the motion carried 3-0. The meeting adjourned at 9:35 a.m.

Respectfully submitted,

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Ken Wencil, Secretary